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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/753,244	01/08/2004	Peter J. Fellingham	86742WRZ	6721

7590 06/02/2006

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EXAMINER

GRAVINI, STEPHEN MICHAEL

ART UNIT	PAPER NUMBER
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3749

DATE MAILED: 06/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/753,244	Applicant(s) FELLINGHAM ET AL.	
	Examiner Stephen Gravini	Art Unit 3749	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 17 April 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☐ Claim(s) 1-6,8,9,11-16 and 18-29 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-6, 8, 9, 11-16 18-29 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 102

Claims 1-6, 8-9, 11-13, 16, and 18 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Wafler (US 6,048,059).

Claim 19 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Jacobe et al. (US 4,260,648).

Claim 20 is rejected under 35 U.S.C. 102(b) as being clearly anticipated by Suzuki et al. (US 4,816,912).

Claims 22-25 and 27-28 are rejected under 35 U.S.C. 102(b) as being clearly anticipated by Siegel (US 5,244,529).

Claim Rejections - 35 USC § 103

Claims 14-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Wafler in view of Hudson (US 3,158,509). Wafler is considered to clearly anticipate the claimed invention, except for the claimed heat insulating component and platen. Hudson, another drying system, is considered to disclose a heat insulating component and platen at column 5 lines 3-72. It would have been obvious to one skilled in the art to combine the teachings of Wafler with the heat insulating component and platen, considered disclosed by Hudson, for the purpose of providing a structural and heat transfer surface for further processing of media.

Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Suzuki. Suzuki is considered to clearly anticipate the claimed invention, except for the claimed ratio. It would have been an obvious matter of design choice to one skilled in the art to provide a specific ratio, since the prior art performs the invention as claimed regardless of a length to thickness ratio.

Claim 26 and 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Siegel. Siegel is considered to clearly anticipate the claimed invention, except for the claimed ratio or plural extensions. It would have been an obvious matter of design choice to one skilled in the art to provide a specific ratio or plural extensions, since the prior art performs the invention as claimed regardless of a length to thickness ratio or number of extensions.

Claims 1-6, 8-9, 11-16, and 19-29 are provisionally rejected on the ground of nonstatutory obviousness-type double patenting as being unpatentable over claims 1-20 of copending Application No. 11/087,307. Although the conflicting claims are not identical, they are not patentably distinct from each other because it would have been obvious to one skilled in the art recite the currently claimed media support as the copending claim recitation of a fused nip roller since both devices perform substantially the same function or purpose in substantially the same way using substantially the same means.

This is a provisional obviousness-type double patenting rejection because the conflicting claims have not in fact been patented.

Response to Arguments

Applicant's arguments filed April 17, 2006 have been fully considered but they are moot based on new grounds of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stephen Gravini whose telephone number is 571 272 4875. The examiner can normally be reached on normal weekday business hours (east coast time).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ehud Gartenberg can be reached on 571 272 4828. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

SMG
May 24, 2006

